

AUG 23 2000

PATENT
Attorney Docket No. ST96030

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Laurent BRACCO *et al.*

Filed: April 26, 1999

Serial No.: 09/297,181

Title: ANTI-p53 SINGLE-CHAIN ANTIBODY FRAGMENTS AND THEIR USE

Examiner: Y. Connell

Group Art Unit: 1633

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants file this response to the Office Action (Paper No. 7) mailed July 18, 2000, to reply to the required selection of a group of claims for examination.

Solely to be responsive, applicants hereby select Group I, claims 28, 30-32, and 40-44, drawn to a method of restoring p53 transactivation in a cell. However, applicants traverse the requirement for restriction and ask that the Examiner reconsider. Applicants' reasons for traversal are given below.

REMARKS

Applicants respectfully submit that the appropriate standards for examining this national stage application, set forth in 37 C.F.R. §§ 1.499 and 1.475, have not been applied. A “unity of invention” standard applies. Furthermore, when the appropriate standard is applied, there is no reason to issue a restriction requirement in this case.

Paper No. 7, in the reasons for requiring restriction, mentions that the inventions are “distinct” and that the claims belong to “divergent” classes, each requiring independent